

**TRANSMITTAL  
FORM**

163615

<b>TRANSMITTAL FORM</b>	Application Serial Number	09/691,345
	Filing Date	October 18, 2000
	First Named Inventor	Spievack
	Group Art Unit	1636
	Examiner Name	Ketter, J. S.
	Attorney Docket No.	SPV-001
	Patent No.	Not applicable
Issue Date	Not applicable	

**RECEIVED**

DEC 10 2002

**TECH CENTER 1600/2900**

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Check Attached</li> <li><input type="checkbox"/> Copy of Fee Transmittal Form</li> </ul>	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <ul style="list-style-type: none"> <li><input type="checkbox"/> Formal Drawing(s)</li> </ul>	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <ul style="list-style-type: none"> <li><input type="checkbox"/> Appeal Brief (in triplicate)</li> </ul>
<input checked="" type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary</li> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> <li><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]</li> </ul>	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <ul style="list-style-type: none"> <li><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)</li> </ul>	<input type="checkbox"/> Status Inquiry <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Return Receipt Postcard</li> <li><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8</li> </ul>
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Terminal Disclaimer <ul style="list-style-type: none"> <li><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application</li> </ul>	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <ul style="list-style-type: none"> <li><input type="checkbox"/> Additional Enclosure(s) (please identify below)</li> </ul>
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Form PTO-1449</li> <li><input checked="" type="checkbox"/> Copies of IDS Citations</li> <li><input checked="" type="checkbox"/> Copy of Letter Dated August 30, 2002</li> </ul>	<input type="checkbox"/> Small Entity Statement <ul style="list-style-type: none"> <li><input type="checkbox"/> CD(s) for large table or computer program</li> </ul>	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Amendment After Allowance <ul style="list-style-type: none"> <li><input type="checkbox"/> Request for Certificate of Correction</li> </ul>	
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <li><input type="checkbox"/> Paper Copy/CD</li> <li><input type="checkbox"/> Computer Readable Copy</li> <li><input type="checkbox"/> Statement verifying identity of above</li> </ul>	<input type="checkbox"/> Certificate of Correction (in duplicate)	

**CORRESPONDENCE ADDRESS**

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Respectfully submitted,

*Ronda P. Moore, D.V.M.*

Ronda P. Moore, D.V.M.

Attorney for Applicant

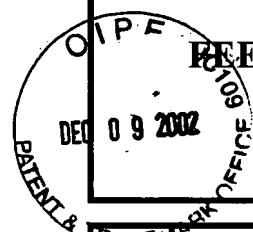
Testa, Hurwitz & Thibeault, LLP

High Street Tower

125 High Street

Boston, MA 02110

U.S. PATENT & TRADEMARK OFFICE  
FEE TRANSMITTAL  
FY 2002



Complete if Known		RECEIVED DEC 10 2002
Application Serial Number	09/691,345	
Filing Date	October 18, 2000	
First Named Inventor	Sievack	
Group Art Unit	1636	
Examiner Name	Ketter, J. S.	
Attorney Docket No.	SPV-001	

TECH CENTER 1600/2900

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																				
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>400</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>920</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1440</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1960</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>320</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>320</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>280</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>180.00</td></tr> <tr><td>740</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>740</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr> <tr> <td colspan="4">Other fee (Specify)</td> <td></td> </tr> <tr> <td colspan="4">Other fee (Specify)</td> <td></td> </tr> </tbody> </table>			Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		400	200	Extension for reply within second month		920	460	Extension for reply within third month		1440	720	Extension for reply within fourth month		1960	980	Extension for reply within fifth month		320	160	Notice of Appeal		320	160	Filing a brief in support of an appeal		280	140	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement	180.00	740	370	Filing a submission after final rejection (37 CFR 1.129(a))		740	370	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		Other fee (Specify)					Other fee (Specify)				
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																			
130	65	Surcharge - late filing fee or oath																																																																																				
50	25	Surcharge - late provisional filing fee or cover sheet																																																																																				
130	130	Non-English specification																																																																																				
2,520	2,520	Request for ex parte reexamination																																																																																				
110	55	Extension for reply within first month																																																																																				
400	200	Extension for reply within second month																																																																																				
920	460	Extension for reply within third month																																																																																				
1440	720	Extension for reply within fourth month																																																																																				
1960	980	Extension for reply within fifth month																																																																																				
320	160	Notice of Appeal																																																																																				
320	160	Filing a brief in support of an appeal																																																																																				
280	140	Request for oral hearing																																																																																				
130	130	Petitions to the Commissioner																																																																																				
180	180	Submission of Information Disclosure Statement	180.00																																																																																			
740	370	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																				
740	370	For each additional invention to be examined (37 CFR 1.129(b))																																																																																				
100	100	Certificate of Correction for applicant's error																																																																																				
Other fee (Specify)																																																																																						
Other fee (Specify)																																																																																						
2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit. 3. <input type="checkbox"/> Applicant claims small entity status.																																																																																						
FEE CALCULATION																																																																																						
1. FILING FEE																																																																																						
Large Entity Fee (\$) Fee Description Fee Paid																																																																																						
740	Utility filing fee																																																																																					
330	Design filing fee																																																																																					
160	Provisional filing fee																																																																																					
Number Number Rate Amount Filed Extra																																																																																						
Total Claims	- 20 =	x \$ 18.00 =																																																																																				
Independent Claims	- 3 =	x \$ 84.00 =																																																																																				
<input type="checkbox"/> Multiple Dependent Claim(s), if any		\$280.00 =																																																																																				
TOTAL: SMALL ENTITY DISCOUNT: SUBTOTAL (1) (\$ 00.00)																																																																																						
2. AMENDMENT CLAIM FEES																																																																																						
Claims	Highest No.	Present	Rate	Fee Paid																																																																																		
Remaining	Previously	Extra																																																																																				
After Amend.	Paid For																																																																																					
Total	=	x \$ 18.00 =																																																																																				
Indep.	=	x \$ 84.00 =																																																																																				
<input type="checkbox"/> First Presentation of Multiple Dep. Claim		+ \$280.00 =																																																																																				
TOTAL: (\$) SMALL ENTITY DISCOUNT: (\$) SUBTOTAL (2) (\$ 00.00)																																																																																						
SUBTOTAL (1) 00.00 SUBTOTAL (2) 00.00 SUBTOTAL (3) 180.00																																																																																						
TOTAL (\$ 180.00)																																																																																						
CORRESPONDENCE ADDRESS		SIGNATURE BLOCK																																																																																				
Direct all correspondence to:		Respectfully submitted,  Ronda P. Moore, D.V.M. Attorney for the Applicants Testa, Hurwitz & Thibeault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100																																																																																				



PATENT  
Attorney Docket No. SPV-001  
(7931/2)

TECH CENTER 1600/2900

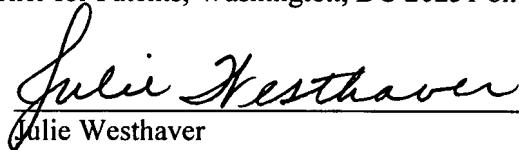
RECEIVED  
DEC 10 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Spievack  
SERIAL NO.: 09/691,345 GROUP NO.: 1636  
FILING DATE: October 18, 2000 EXAMINER: Ketter, J.S.  
TITLE: TISSUE REGENERATIVE COMPOSITION, METHOD OF MAKING,  
AND METHOD OF USE THEREOF

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, Washington, DC 20231 on this 6th day of December, 2002.

  
Julie Westhaver

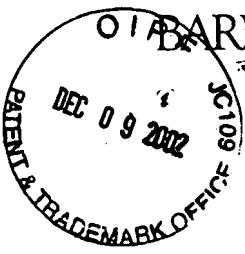
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 pg.); Fee Transmittal (1 pg.); Amendment and Response (7 pgs.); Supplemental Information Disclosure Statement (2 pgs.); Form PTO-1449 (2 pgs.); Copy of Letter Dated August 30, 2002 (1 pg.); References AAC-AAJ and CH-CU; Check in the Amount of \$180.00; and postcard.

OTABARNES & THORNBURG



11 South Meridian Street  
Indianapolis, Indiana 46204-3535 U.S.A.  
(317) 236-1313  
Fax (317) 231-7433

[www.btlaw.com](http://www.btlaw.com)  
August 30, 2002

ACell, Inc.  
10555 Guilford Road, Suite 113  
Jessup, Maryland 20794

**Via Facsimile (410) 715-4511  
Certified Mail  
Return Receipt Requested**

ACell, Inc.  
2700 Kent Avenue  
West Lafayette, Indiana 47906  
Attn: Dr. Stephen F. Badylak  
Dr. Alan R. Spievack

**Certified Mail  
Return Receipt Requested**

Re: PCT International Application No. PCT/US00/34938  
and Related Patent Applications Assigned to ACell, Inc.

Gentlemen:

At the request of our client Purdue University we have conducted an extensive investigation into the development of urinary bladder derived tissue compositions at Purdue. Based on that investigation we have determined that several embodiments of the invention described and claimed in ACell's PCT International Application No. PCT/US00/34938 were conceived and reduced to practice by Purdue employees before the 22 December 1999 filing date of the provisional application counterpart of the subject PCT application.

ACell, Inc. is hereby advised that Purdue has at least a co-ownership interest in the inventions described and claimed in the subject PCT application. ACell is advised, as well, that a patent application as been filed in the United States Patent and Trademark Office to provoke an interference with ACell's U.S. counterpart applications, U.S. Application Serial No. 09/691,345 and U.S. Patent Application Serial No. 09/691,590 and any related U.S. patent applications.

Very truly yours,  
BARNES & THORNBURG

  
Steven R. Lammert

Steven R. Lammert

C  
O  
P  
Y

SRL:glt

cc: Elizabeth Kuuttila  
Ronda Moore, Esquire  
William Kealey, Esquire